



*Handwritten:* RCE #

Atty. Dkt. No. 041457-0661

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David HOUZE et al.  
Title: COMPOSITION AND  
METHODS FOR DRUG  
DELIVERY  
Appl. No.: 09/768,831  
Appl. Filing Date: 01/24/2001  
Examiner: I. Ghali  
Art Unit: 1615

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission **required** under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on \_\_\_\_.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.

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☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37  
C.F.R. § 1.116 previously filed on \_\_\_\_.

☐ Other \_\_\_\_.

b. Enclosed are:

☒ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of \_\_\_\_ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37  
C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

|  | Claims as<br>Amended | Previously<br>Paid For | Extra Claims<br>Present | Rate       | Fee Totals |
|--|----------------------|------------------------|-------------------------|------------|------------|
| RCE Fee 1.17(e):                                     |                      |                        |                         | \$790.00   | = \$790.00 |
| Total Claims:  | 31                   | - 31                   | = 0                     | x \$50.00  | = \$0.00   |
| Independents   | 4                    | - 4                    | = 0                     | x \$200.00 | = \$0.00   |
| First presentation of any Multiple Dependent Claims: |                      |                        |                         | + \$360.00 | = \$0.00   |
| CLAIMS FEE TOTAL:                                    |                      |                        |                         |            | = \$790.00 |

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

|                                     |   |            |   |            |
|-------------------------------------|---|------------|---|------------|
| <input type="checkbox"/>            | Extension for response filed within the first month:      | \$120.00   | 0 | \$0.00     |
| <input type="checkbox"/>            | Extension for response filed within the second month:     | \$450.00   |   | \$0.00     |
| <input type="checkbox"/>            | Extension for response filed within the third month:      | \$1,020.00 |   | \$0.00     |
| <input type="checkbox"/>            | Extension for response filed within the fourth month:     | \$1,590.00 |   | \$0.00     |
| <input checked="" type="checkbox"/> | Extension for response filed within the fifth month:      | \$2,160.00 |   | \$2,160.00 |
| EXTENSION FEE SUBTOTAL:             |   |            |   | \$2,160.00 |
| EXTENSION FEE ALREADY PAID: -       |   |            |   | \$0.00     |
| EXTENSION FEE TOTAL                 |   |            |   | \$2,160.00 |
| CLAIMS AND EXTENSION FEE TOTAL:     |   |            |   | \$2,950.00 |
| <input checked="" type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above):            |            |   | \$1,475.00 |
| <input type="checkbox"/>            | Suspension of action requested under 37 C.F.R. § 1.103(c) |            |   | \$0.00     |
| TOTAL FEE:                          |   |            |   | \$1,475.00 |

☐ Please charge Deposit Account No. 19-0741 in the amount of \$1,475.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1,475.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date January 31, 2005

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 295-4094  
Facsimile: (202) 672-5399

By Courtenay C. Brinckerhoff

Courtenay C. Brinckerhoff  
Attorney for Applicant  
Registration No. 37,288